

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:	§	
	§	
HERCULES MARINE SERVICES CORP.	§	Case No.
	§	(Chapter 7)
DEBTOR	§	

**STATEMENT OF FINANCIAL AFFAIRS**

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under Chapter 12 or Chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1-15 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 16-21. Each question must be answered. If the answer to any question is "None," or the question is not applicable, mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

**DEFINITIONS**

*"In business."* A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the two years immediately preceding the filing of this bankruptcy case, any of the following: An officer, director, managing executive, or person in control of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

*"Insider."* The term "insider" includes but is not limited to: Relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any person in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101(30).

1. Income from employment or operation of business

☐ None

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under Chapter 12 or Chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE (if more than one)
\$2,183,436	Revenue from operation of business for year ending 12/96.
\$2,732,326	Revenue from operation of business for year ending 12/97.
\$217,859	Revenue from operation of business for 1/98 and 2/98.

2. Income other than from employment or operation of business

☒ None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the two years immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under Chapter 12 or Chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE

3. Payments to creditors

[ ] None

a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within 90 days immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor	Dates of Payments	Amount Paid	Amount Still Owing
Ace Supply	2/25/98	\$11,728.73	\$0.00
P. O. Box 62810	3/27/98	\$89,825.58	
New Orleans, La 70162			
AETS	3/17/98	\$5,184.00	\$0.00
Dept. 73709	3/27/98	\$4,000.00	
Chicago, Il 60673			
Argonaut Marine	2/25/98	\$1,143.25	\$0.00
2001 S.W. 20th St.			
Fort Lauderdale, Fl 33315			
Arthur Anderson	2/25/98	\$1,500.00	\$0.00
P. O. Box 730260			
Dallas, Tx 75373			
Bagwell Brothers	2/25/98	\$3,593.56	\$0.00
11106 Hwy. 14			
P. O. Box 367			
Delcambre, La 70528			

Ballinger, Larry	1/27/98	\$636.40	\$0.00
4127 Eaton Drive	2/25/98	\$1,330.54	
Sante Fe, Tx 77510	3/3/98	\$611.79	
	3/17/98	\$483.70	
	4/16/98	\$131.00	
Bell & Murphy	2/25/98	\$41,736.75	\$0.00
1300 Post Oak			
20th Floor			
Houston, Tx 77056			
Edwin's Boat Yard	3/17/98	\$2,925.45	\$0.00
Man-O-War Cay			
Abaco, Bahamas			
Griggs & Harrison, P. C.	2/25/98	\$39,940.11	\$0.00
1301 McKinney, Ste. 3200			
Houston, Tx 77546			
Hercules Offshore	2/18/98	\$4,000.00	\$0.00
11011 Richmond Ave.	3/9/98	\$2,000.00	
Ste. 500	3/24/98	\$5,000.00	
Houston, Tx 77042			
HL&P	2/25/98	\$1,631.21	\$0.00
P. O. Box 1545	3/17/98	\$1,610.16	
Houston, Tx 77251			
R&R Rentals	2/25/98	\$1,424.56	\$0.00
P. O. Box 902			
Mont Belvieu, Tx 77580			
Rickborn Ind.	2/26/98	\$650.00	\$0.00
2698 S.W. 23rd Ave.			
Ft. Lauderdale, Fl 33312			
Southwestern Bell	2/25/98	\$758.64	\$0.00
P. O. Box 4699			
Houston, Tx 77097			

Waste Management                      2/25/98                      \$764.86                      \$0.00  
Southeast Texas  
P. O. Box 2105  
Bedford Park, IL 60499

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☒ None

b. List all payments made within one year immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under Chapter 12 or Chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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4. Suits, executions, garnishments and attachments

☐ None

a. List all suits to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Caption of Suit and Case Number	Nature of Proceeding	Court and Location	Status or Disposition
Case No. 96-G-0201 Hercules Marine Services Corp. v. Bob Casale	Claim by neighboring land owner for the following: (see below)**	239th Judicial District Court of Brazoria County, Tx	pending

Case No.  
96,307M  
The State of  
Texas v. Hercules  
Marine Services Corp.

Alleged falsification of  
records to TNRCC.

In the County indictment  
Court at Law #1 returned  
and Probate Court  
Brazoria County, Tx

**\*\*negligence, gross negligence, strict liability arising from ultrahazardous activity, nuisance, trespass, frivolous lawsuit, intentional infliction of emotional distress, abuse of process/malicious prosecution, personal injury, diminution in value of his real estate, and for nuisance**

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☒ None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within one year immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address  
of Person For  
Whose Benefit  
Property Was  
Seized

Date of  
Seizure

Description and Value  
of Property

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5. **Repossessions, foreclosures and returns**

☒ None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within one year immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address  
of Creditor of Seller

Date of  
Repossession,  
Foreclosure  
Sale, Transfer  
or Return

Description and Value  
of Property

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**6. Assignments and receiverships**

☒ None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address  
of Assignee

Date of  
Assignment

Terms of Assignment  
or Settlement

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☒ None

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address  
of Custodian

Name and Location  
of Court, Case  
Title & Number

Date of  
Order

Description  
and Value of  
Property

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7. Gifts

☒ None

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under Chapter 12 or Chapter 13 must include gifts of contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address  
of Person or  
Organization

Relationship  
to Debtor,  
If Any

Date of  
Gift

Description and  
Value of Gift

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8. Losses

☒ None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)



Description and Value of Property	Description of Circumstances and, If Loss Was Covered in Whole or In Part by Insurance, Give Particulars	Date of Loss
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9. Payments related to debt counseling or bankruptcy

☐ None

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within one year immediately preceding the commencement of this case.

Name and Address of Payee	Date of Payment, Name of Payor if Other Than Debtor	Amount of Money or Description and Value of Property
Griggs & Harrison, P.C. 1301 McKinney Suite 3200 Houston, Tx 77010-3033	2/26/98 Parker Drilling	\$10,000

10. Other Transfers

☐ None

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within one year immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Transferee, Relationship to Debtor	Date	Describe Property Transferred and Value Received
HCC 2777 Woodland Park Dr. No. 1302 Houston, Tx 77082 Relationship to Debtor: HCC is a separately owned company by Thomas J. Seward, III who was formerly President of the Debtor.	12/23/97	Vessel (Bluefin) \$2,934 Vessel (Dolphin) \$10,928.50 Vessel (Angler) \$428.50
Tom Hord 104 Bayou Lane Kemah, Tx 77565 Relationship to Debtor: Tom Hord was formerly Vice President of the Debtor	12/23/97	Vessel (Bluefin) \$2,934 Vessel (Dolphin) \$10,928.50 Vessel (Angler) \$428.50

Vessels sold to HCC (50%) and Tom Hord (50%) on 12/23/97 pursuant to boat purchase option agreement entered into on 9/1/93.

Larry Ballinger 4127 Eaton Drive Sante Fe, Texas 77510 Relationship to Debtor: Larry Ballinger was a former employee/manager of the Debtor.	3/6/98	Computer \$300
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#### 11. Closed financial accounts

☐ None

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Institution	Type and Number of Account and Amount of Final Balance	Amount and Date of Sale or Closing
Compass Bank P. O. Box 4444 Houston, Tx 77210-4444	Acct. No. 772-5365-3 Balance: \$0.00	1/14/98

12. Safe deposit boxes

☒ None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Bank or Other Depository	Names and Addresses of Those With Access to Box or Depository	Description of Contents	Date of Transfer or Surrender, If Any
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13. Setoffs

☒ None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under Chapter 12 or Chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Name and Address of Creditor	Date of Setoff	Amount of Setoff
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14. **Property held for another person**

☒ None

List all property owned by another person that the debtor holds or controls.

Name and Address of Owner	Description and Value of Property	Location of Property
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15. **Prior address of debtor**

☒ None

If the debtor has moved within the two years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

Address	Name Used	Dates of Occupancy
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The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the two years immediately preceding the commencement of this case, any of the following: An officer, director, managing executive, or owner of more than 5 percent of the voting securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

*(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within the two years immediately preceding the commencement of this case.)*

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**16. Nature, location and name of business**

☒ None

a. If the debtor is an individual, list the names and addresses of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the two years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the two years immediately preceding the commencement of this case.

b. If the debtor is a partnership, list the names and addresses of all businesses in which the debtor was a partner or owned 5 percent or more of the voting securities, within the two years immediately preceding the commencement of this case.

c. If the debtor is a corporation, list the names and addresses of all businesses in which the debtor was a partner or owned 5 percent or more of the voting securities within the two years immediately preceding the commencement of this case.

Name	Address	Nature of Business	Beginning and Ending Dates of Operation
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**17. Books, records and financial statements**

☐ None

a. List all bookkeepers and accountants who within the six years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

Name and Address	Dates Services Rendered
Stephen D. Barwick 11011 Richmond Avenue Suite 500 Houston, Tx 77042	November '93 to present
Robert Millis (address unknown)	Prior to November '93

☒ None

b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

Name	Address	Dates Services Rendered

☐ None

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

Name	Address
Hercules Offshore Corporation	11011 Richmond Ave. Suite 500 Houston, Texas 77042

☒ None

d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the two years immediately preceding the commencement of this case by the debtor.

Name and Address

Date Issued

18. Inventories

☒ None

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

Date of Inventory	Inventory	Supervisor	Dollar Amount of Inventory (Specify cost, market or other basis)
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☒ None

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

Date of Inventory	Name and Addresses of Custodian of Inventory Records
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19. Current Partners, Officers, Directors and Shareholders

☒ None

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

Name and Address	Nature of Interest	Percentage of Interest
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☐ None

b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting securities of the corporation.

Name and Address	Title	Nature and Percentage of Stock Ownership
Adway International, Ltd. P. O. Box 71 Craigmur Chambers Road Town Tortola, British Virgin Islands		100% ownership
Christian Liow Hoon Ing Director Trenergy (Malaysia) BHD Level 7 MNI Twins Tower 1 Jalan Pinang, 50450 Kuala Lumpur, Malaysia		

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20. Former partners, officers, directors and shareholders

☒ None

a. If the debtor is a partnership, list each member who withdrew from the partnership within one year immediately preceding the commencement of this case.

Name	Address	Date of Withdrawal

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☐ None



b. If the debtor is a corporation, list all officers or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

Name and Address	Title	Date of Termination
Tom Seward 2777 Woodland Park Drive #1302 Houston, Tx 77082	President/Director	12/30/97
Tom Hord 104 Bayou Lane Kemah, Tx 77565	Vice President/Director	12/30/97
Bruce Thompson 1818 Fuerte Street Fallbrook, Ca 92028	Chairman	2/18/98
Sue Manuel 15735 Timber Rock Drive Houston, Tx 77082	Asst. Secretary	2/19/98
Razman Ariffin Trenergy (Malaysia) BHD No. 18 Jalan 1/82B Bangsar Utama 59200 Kuala Lumpur, Malaysia	Director	

21. Withdrawals from a partnership or distributions by a corporation

☒ None

If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

Name and Address of Recipient, Relationship to Debtor Property	Date and Purpose of Withdrawal	Amount of Money or Description and Value of

I declare under penalty of perjury that I have read the answers contained in the foregoing Statement of Financial Affairs and any attachments thereto and that they are true and correct.

Date: 4/29/98

HERCULES MARINE SERVICES  
CORPORATION

By: Thomas J. Seward, II  
Thomas J. Seward, II  
Corporate Representative